

JUL 20 2005

**MARY L.M. MORAN**  
**CLERK OF COURT**

22

DISTRICT COURT OF GUAM  
TERRITORY OF GUAM

UNITED STATES OF AMERICA,  
Plaintiff,

Criminal Case No. 05-00053

vs.

**A M E N D E D   O R D E R**

**CHRISTOPHER M. ESPINOSA,**  
**ERIC M. APONIK, JOHN V. CRUZ**  
**and JARETT J. ELM,**  
Defendants.

IT IS HEREBY ORDERED that the trial in this matter is set for **September 6, 2005** at 9:30 a.m. Pretrial motions shall be filed no later than August 16, 2005 and heard on August 30, 2005 at 10:00 a.m.

IT IS FURTHER ORDERED that the following be filed or lodged with this Court no later than August 30, 2005:

- 1) Proposed jury voir dire questions;
- 2) An original and one copy of the exhibit list - (Government's exhibits numbered; Defendant's exhibits lettered);
- 3) Three complete sets of marked and tabbed exhibits in three-ring binders. A copy of the Exhibit List shall be included in each three-ring binder. The parties shall meet and confer sufficiently in advance of trial and formulate a set of joint exhibits, if possible, to eliminate duplicate exhibits. Those exhibits upon which agreement cannot be reached shall be submitted separately by each respective party;

- 1 4) Any documents to be used in the examination of  
2 witnesses, but not to be introduced into evidence, such  
3 as police reports, investigative reports or witness  
4 statements - (one copy must be lodged with the Court);  
5  
6 5) Proposed verdict forms;  
7  
8 6) An original and one copy of witness lists for purposes of  
9 voir dire only - (Witness lists shall include: legal  
10 names, aliases, nicknames, place of residence and place  
11 of employment); and  
12  
13 7) Proposed jury instructions - (Those jury instructions  
14 upon which an agreement cannot be reached shall be  
15 submitted in a separate packet, together with the  
16 objections and authority therefor of each party).

17 IT IS FURTHER ORDERED THAT:

- 18 1) If additional witnesses are to be called or additional  
19 exhibits are to be submitted, an original and one copy of  
20 a supplemental witness list or a supplemental exhibit list  
21 must be filed with the Court. Additionally, three copies  
22 of pre-marked supplemental exhibits must be lodged  
23 with the Court prior to their use at trial. The three  
24 copies of the pre-marked exhibits must have three holes  
25 punched on the left-hand side so that they can be easily  
26 inserted in the three-ring exhibit binders previously  
27 submitted by the parties.  
28  
2) If during the course of the trial, additional documents  
will be used in the examination of witnesses, but not  
introduced into evidence, one copy of each document  
shall be lodged with the Court prior to its use at trial.

Date:

July 20, 2005



FRANCES TYDINGCO-GATEWOOD  
DESIGNATED JUDGE